LEGISLATIVE COUNCIL

Tuesday, October 17, 1972

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

FISHING

The Hon. R. C. DeGARIS: I seek leave to make a short explanation prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. C. DeGARIS: I could easily make this a long explanation but I think the Minister appreciates the fact that the South-East fishing industry is in a difficulty with the restrictions that have been placed on the sale of shark in Victoria. The secretary of the Beachport Fishermen's Association has drawn attention to the fact that the delay in lifting restrictions on the use of fish traps could mean the loss of a possible new branch of the fishing industry in the South-East. It appears there is a possibility of developing a new industry in the South-East by the use of fish traps and the catching of leather-jackets, but there appears to be some delay in the lifting of restrictions on the use of fish traps to allow this industry to be experimented with or trials to be carried out for the development of the industry. Will the Minister look at this matter with a view to hastening any changes in restrictions that may be necessary to help develop this industry in the South-East?

The Hon. T. M. CASEY: I have already had discussions with the South-Eastern fishermen on this very matter. I think they are interested in catching leather-jackets by means of traps. This is already in the hands of the Director, and I hope something concrete will emerge in a few days time.

AGRICULTURAL CONFERENCE

The Hon. C. R. STORY: I understand the Minister of Agriculture has been to a conference, in Melbourne I think, with the other Ministers of Agriculture and the Commonwealth Minister for Primary Industry, dealing with three matters—eggs, table margarine, and dairy stabilization. Has the Minister a report for the Council?

The Hon. T. M. CASEY: I thought this matter had been fully covered in this morning's press by both the *Australian* and our local newspaper. I was very pleased to see that controlled egg production had eventually got off the ground; all States agreed on the formula to be adopted. It was decided that controlled production for the dairying industry would not be implemented immediately, but it would be legislated for and implemented if and when the occasion arose. Unfortunately, there seems to be a division, as usual, between New South Wales and Victoria on the question of fixing quotas for those States; and some other States are not too happy about the quotas. This matter must be resolved before complete unanimity can be achieved; unfortunately, that will take some time. Regarding the question of margarine, it was decided that, in view of the problems that could result from Britain's entry into the European Common Market on January 31 next, the whole question should be deferred until after that date to see what the situation is then.

FEMALE AGRICULTURAL STUDENTS

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. M. B. DAWKINS: In recent years there has been some demand for the admission of female students to courses at the Urrbrae Agricultural High School and the Roseworthy Agricultural College. I have had people in the Elizabeth area seeking admission to courses in those institutions, and I believe that this year is the first year when girls have been admitted to Urrbrae Agricultural High School. I believe that the Minister recently announced that girls would be admitted to Roseworthy Agricultural College next year. Can he tell the Council how many female students have been admitted to Urrbrae and how many will be admitted to Roseworthy next year? Further, can he state the percentage of female students that will be admitted to those institutions?

The Hon. T. M. CASEY: I shall ascertain how many female students have been admitted to Urrbrae Agricultural High School. I made an announcement last Friday at the farmers day at Roseworthy. I was very sorry that I did not see the honourable member there; he was conspicuous by his absence.

The Hon. M. B. Dawkins: I, too, was sorry that I could not be there.

The Hon. T. M. CASEY: I said then that the Government was making the necessary arrangements for female students to be admitted to Roseworthy. I said that a minimum of four female students would be required, for reasons that I am sure the honourable member realizes—for example, the question of social atmosphere. Arrangements have already been

made for alterations to existing buildings at Roseworthy to cater for a minimum of four female students; however, that does not restrict the number. It will be interesting to see how many girls apply for admission. As I said last Friday, I believe that the admission of female students to courses at the college will be a definite asset to the farming community of South Australia. There will be no class distinction at the college; the female students will be expected to do exactly the same type of manual work as the male students do; I believe that that will be readily accepted by the female students. Girls to whom I have spoken are interested in going to the college.

LOCAL GOVERNMENT ACT

The Hon. C. M. HILL: I seek leave to make an explanation prior to asking a question of the Minister of Local Government.

Leave granted.

The Hon. C. M. HILL: A recent press item stated that the St. Peters council was approaching the Minister of Local Government to see whether the Local Government Act could be amended to enable ratepayers who were not naturalized citizens to have voting rights, and the Town Clerk of that council stated in the press that anyone, whether naturalized or not, who paid rates should have ratepayers' rights. Will the Minister ascertain whether the Minister of Local Government or the Government has come to a decision on this matter, which I consider should involve an important amendment to the Act?

The Hon. T. M. CASEY: I will refer the question to my colleague and obtain a reply as soon as it is available.

SOUTH-EAST WATER SUPPLY

The Hon. H. K. KEMP: Has the Chief Secretary, representing the Minister of Development and Mines, a reply to my question of October 3 about extending the water studies in the South-East to the Pinnaroo and Lameroo districts?

The Hon. A. J. SHARD: Investigations by the Mines Department to determine the groundwater resources of the South-East area have commenced in the Naracoorte and Mount Gambier area, as this is considered to be the area of greatest demand for and greatest risk of pollution of the underground waters. The department is fully aware that significant quantities of underground water, often of good quality, occur in the Pinnaroo, Parilla, Lameroo and Geranium districts, and it intends that, towards the completion of investigations in the Lower South-East in about two to three years, work will become concentrated in the more northerly areas extending as far as the Murray River. These investigations could take a further five to 10 years but, once again, investigations will commence first in the areas of highest demand. All work will be controlled from the recently opened Naracoorte office and drilling depot of the Mines Department.

POLLUTION

The Hon. L. R. HART: Has the Minister of Agriculture, representing the Minister of Marine, a reply to my question of September 28 regarding pollution of the waters of St. Vincent Gulf?

The Hon. T. M. CASEY: Following reports last year that the very high-quality effluents from the Glenelg and Bolivar treatment works were having an effect on seaweed growth, the Minister of Works initiated a comprehensive environmental study into the effects of land-based discharges from metropolitan Adelaide on the marine environment of St. Vincent Gulf. This is a comprehensive three-year survey extending from Port Prime in the north down to the southern end of Sellick Beach. The work is well under way, and the necessary plant and equipment has been obtained and is in operation. My colleague expects to be able to make a more detailed announcement of progress shortly.

GREENHILL ROAD CORNER

The Hon. R. C. DeGARIS: Has the Minister representing the Minister of Roads and Transport a reply to my question of September 27 regarding a dangerous corner on Greenhill Road?

The Hon. T. M. CASEY: My colleague informs me that it is assumed that the question relates to a short radius curve about one-quarter of a mile west of the Mount Lofty turn-off. Highways Department officers have not previously considered this curve as unduly hazardous but, because of the comments by the Lobethal people, arrangements are now being made to erect reflective hazard boards.

The Hon. H. K. KEMP: My question is directed to the Minister of Agriculture, representing the Minister of Roads and Transport. Will he accept the thanks of the local people for the warning boards erected on the Greenhill Road, after a question asked of the Chief Secretary by the Hon. Mr. DeGaris, on my behalf, about a month ago? I have before me a draft reply saying that this matter would be looked into. Apparently, the Minister anticipated my question and had these boards erected.

The Hon. T. M. CASEY: I thank the honourable member for his comments.

WEED CONTROL

The Hon. C. M. HILL: I ask leave to make a short explanation prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: I refer to a matter which has been raised previously, but on which I seek up-to-date information. It concerns the Minister's proposal to set up boards to administer the Weeds Act, and so change the administration from the present system, which is under the direct control of local government bodies, to a regional system of boards. The proposal has met with considerable objection from individual district councils, and the Local Government Association. At a meeting of the Southern Hills group a resolution was passed unanimously opposing the proposal. I understand that a conference was held recently between the Local Government Association and the Minister's department, and the matter was further discussed. Can the Minister say what is the present position; does he intend to amend the Act to incorporate this proposal?

The Hon. T. M. CASEY: I should like to correct the honourable member, if I may, regarding his comment that it was my proposal that these boards should be set up. It was not my proposal specifically, or even initially; it was a recommendation made to me by the Weeds Advisory Committee, set up to investigate weed control throughout South Australia. The committee has recommended that, in view of the problems associated with weed control and the fact that some councils were doing a tremendous amount of work in weed eradication while others were doing nothing at all, it would be in the interests of weed control in South Australia for a certain number of councils to take part in a sort of board complex. This recommendation was reached after long deliberation with councils throughout South Australia. The proposal was put to me, and I think it is a good one. Although some councils do not agree (and apparently several do not; two, to my knowledge do not), the Weeds Advisory Committee is still deliberating on this most important matter. Earlier this year, I gave the committee a further 12 months in which to contact all councils again throughout South Australia to try to resolve this matter. Whether this can be done, and whether some councils can amalgamate and form boards and others remain apart, I do not know, but it might not be such a complex matter in the long term. I am still awaiting reports from the committee and I hope that this matter can be finalized so that we can effectively control weeds in South Australia. I am not interested in exactly how the set-up finally comes to fruition; I am simply concerned that everyone should accept that weeds are a problem in this State and act responsibly to see that they are brought under control.

BRUCELLOSIS

The Hon. R. C. DeGARIS: About a fortnight ago I directed a question to the Minister of Agriculture regarding the amount of money allocated from general revenue for the control of brucellosis and tuberculosis in South Australia. I have not yet had a reply to the question, and, as I am being pressed for an answer by some people, will the Minister look at the question and bring down a reply?

The Hon. T. M. CASEY: Yes.

WHEAT QUOTAS

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to the question I asked on September 14 regarding wheat quotas?

The Hon. T. M. CASEY: The South Australian Co-operative Bulk Handling Limited has furnished me with the information sought by the honourable member, and I ask leave to have the details incorporated in *Hansard* without my reading them.

Leave granted.

QUOTA CATEGORIES

Growers	With wheat quotas between Bushels
138	0- 100
244	100- 200
256	200- 300
205	300- 400
208	400- 500
1,040	500- 1,000
959	1,000- 1,500
910	1,500- 2,000
1,559	2,000- 3,000
1,328	3,000- 4,000
881	4,000- 5,000
770	5,000- 6,000
564	6,000- 7,000
420	7,000- 8,000
327	8,000- 9,000
284	9,000-10,000
932	10,000-over

SMOKING

The Hon. V. G. SPRINGETT: Has the Minister of Agriculture, representing the Minister of Education, a reply to the question I asked on October 3 regarding the setting

aside of special rooms in schools for smoking by students?

The Hon. T. M. CASEY: The Minister of Education reports that rooms have never been supplied at schools for smoking and, apart from all other considerations pertaining to smoking, there is no intention of providing such rooms because of urgent essential accommodation needs and limited finance. As it is not expected that these essential needs will be met in full in the foreseeable future, no consideration will be given to the provision of smoking rooms.

STANDARD GAUGE PRIORITIES

The Hon. C. M. HILL: I seek leave to make a statement prior to asking a question of the Minister of Agriculture, representing the Minister of Roads and Transport.

Leave granted.

The Hon. C. M. HILL: Recently, I had the privilege of attending the opening of the new Commonwealth Railways standard gauge railway line between Whyalla and Port Augusta. There was considerable discussion at the various functions concerning the progress of the proposed standard gauge railway line to go north from Adelaide to link up with the East-West line. There was some talk that the proposed Commonwealth line from Tarcoola to Alice Springs would be started before the other line, and indeed would be finished before the other line was completed, which concerned me very much. I find from my records that the announcement of the go-ahead for the Adelaide standard gauge connection to the East-West line was made by the Premier in June of last year. It seems to me, therefore, that there is considerable delay. What are the reasons for the delay in the project for the connection from Adelaide to the East-West line, and when can the project be expected to commence?

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague in another place and bring down a reply as soon as it is available.

LABOR DAY PROCESSION

The Hon. R. C. DeGARIS: In the Labor Day procession, which no doubt most people watched on television, some floats were exhibited by Government departments, and some of the people involved in driving them said, when interviewed, that they were being paid for the day's work, evidently by the departments concerned. Will the Chief Secretary comment on that?

The Hon. A. J. SHARD: No. I do not know whether or not they were paid, but I will have inquiries made. However, I should like to compliment and congratulate the people concerned in the Labor Day procession on the magnificent manner in which they turned on the display, which was a credit to the departments concerned and to the State.

PARK LANDS PARKING

The Hon. C. M. HILL: I ask leave to make a short statement before asking a question of the Chief Secretary as Leader of the Government in this Chamber.

Leave granted.

The Hon. C. M. HILL: There was a report in an Adelaide newspaper of September 26 that the Government would be asked by the Adelaide City Council for permission for cars to be parked in the east park lands on the occasion of Carols by Candlelight next December. The matter involved a considerable item in the press, and much discussion in the Adelaide City Council and amongst the organizers of Carols by Candlelight. Can the Chief Secretary say whether a request was received from the City Council and, if so, whether the Government has reached a decision on the matter? If it has, what is it?

The Hon. A. J. SHARD: First, I do not know whether a request was received. Secondly, to the best of my knowledge, I have not been at a Cabinet meeting where this matter was discussed but, because of the interest of the public and the honourable member, I will take up the matter with the Minister of Local Government, find out what the position is and bring down a reply when it is available.

GOVERNMENT OFFICES

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Government Offices, Rundle Street (Renovations).

METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2029.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I thank the Chief Secretary for his co-operation last week in allowing me to conclude my remarks. Because of illness last week, the Hon. Mr. Story, who was to have led in this debate, was not present. I do not wish to add much to what I said previously, except that I am pleased that the Hon. Mr. Story is back with us. I do not wish to say anything that may cover any ground that he will deal with. I make one comment, with

which I dealt last week to some extent—that we should pay some tribute to the work of the old board and the Chairman of that board. No board is perfect and no chairman is perfect, as we well know, but the previous board carried out its work to the best of its ability in view of the problems it faced, one of them being lack of sufficient funds to continue the development of the Gepps Cross abattoir. There were other problems associated with the operations of the abattoir over which the board had little or no control. A simple change of name or a simple alteration of the Chairman or of the board from eight members to five will not make the slightest difference to the operation of the abattoir unless the other problems are tackled by the Government.

As far as I know, no information is given in the Bill or in the second reading explanation about who will be on the new board. I sincerely hope that on it there will be those with skill in business management and those with an understanding of primary industry. Many people have said that in running business organizations and on marketing boards primary producers should not be involved, because they have no understanding of the management of those boards or business operations. To me it would be tragic if no recognized primary producers were to serve on the new board of the South Australian Meat Corporation. I should like the Minister when replying to the second reading debate to give the Council some information on the proposed personnel for the new board.

I have heard rumours that the Government does not intend to appoint to the board any person representing primary industry. If that is so, I shall raise a strong objection, but it may well not be so. There is nothing further I can say on the Bill at this stage. Other matters may arise during the Committee stage. I reiterate that I am sorry that much information available to the Government about the abattoir is not available to members of Parliament. I do not say that in direct challenge to the Government, except that generally a situation is developing where Parliament is not being given full information on many matters to enable it to debate accurately and with full knowledge the Bills that come before it. The McCall report is one example, and Mr. Gray's report to the Minister is another. If the information was available to Parliament, I am certain that the efficiency of the debate in this Council would be improved, and honourable members would have information on which to base their contributions to the debate. Over the weeks the Hon. Mr. Story has considered this Bill, and I do not wish to cover any ground that he may cover in his speech. I support the second reading.

The Hon. C. R. STORY (Midland): I thank the Leader for that magnificent build-up. The Minister has lost a wonderful opportunity to do what I would have done in these circumstances—to choose carefully the initials of the new organization. We now have a magnificent opportunity, which I did not have when I was Minister of Agriculture, to have trucks travelling in the metropolitan area and throughout the State with the initials "M.E.A.T." on them. It is a bad mistake that the Minister has missed this wonderful opportunity. I would prefer to call the organization a trust, and there is no reason why it cannot be called a trust. Various other trusts have functioned well, with very small committees. The difference between a trust and an authority is hard to analyse. Perhaps there is something in the law that does not allow the Minister to do what I have suggested, but I believe that the abattoir would have an excellent form of publicity if trucks had the initials "M.E.A.T." on them, particularly when other people are trying to sell synthetic products under the guise of meat. However, it appears that the chance has been lost. If we go ahead with the title of the organization that this Bill provides for, I believe that schoolchildren will work out a horrible meaning for the initials "S.A.M.C."

I believe that the Minister has neglected Parliament by introducing a Bill that has not been properly prepared. Each week honourable members have to consider many Bills, and they are being required to consider this Bill with 98 clauses and to compare each clause with obsolete legislation (the legislation was obsolete when I was Minister of Agriculture). Consequently, I have no idea why the legislation was not reprinted. As a result of my study of the Bill, I believe that we are losing many board members who were well known and we are not being told who will be members of the new corporation. Some categories of people are being removed from the board, but I see no reference to any removal of union representatives from the board! One of the greatest mistakes ever made was to put a union representative on the Metropolitan and Export Abattoirs Board. When I became Minister of Agriculture that board was about $200,000 in the red, over and above its overdraft. It was dealing with a private enterprise bank. It unsuccessfully asked the Government that was

in office prior to my term as Minister of Agriculture for a loan of $100,000; then, when I became Minister of Agriculture it made a similar request to me, but I was unable to agree to the loan. With a little assistance by means of private enterprise money, we got the board back on the rails.

When I became Minister of Agriculture I also found myself in the unusual situation of having an edict issued to me one week after I took office; the edict was that I would have served on me a notice whereby it would become a law in this State that there be a charge of 0.5c a pound for meat killed outside the metropolitan area and a charge of 1c a pound for meat killed in other States. That was done by my generous colleague, Mr. Bywaters, the Minister of Agriculture who preceded me, backed by the gentleman who is the present Minister of Agriculture.

The Hon. T. M. Casey: Are you sure about that?

The Hon. C. R. STORY: Yes; it was put into operation on February 28 in the year in which I took office. I took office on April 15, and it operated from May 1. I had no say in it, because it was a *fait accompli.* It was put into operation by Mr. Bywaters. If the present Minister does not know anything about it, that is too bad; he had a fairly rugged time in his early days as Minister. We did not lend any money to the board, but we fixed up things so that the board could obtain finance. If one studies the figures, one finds that over the following 18 months the abattoirs made a good profit, but what was the result? Immediately the abattoirs showed a profit the union moved in and forced the payment of, I think, about $250,000 in over-award payments that wiped out the profit that had been made after the McCall report. I appointed Mr. McCall to the position; I was advised to do so because he was a good advocate and he would be able to study the whole situation. He brought down a good report, which was made available through him to the Metropolitan and Export Abattoirs Board. The board used him as a consultant for a short time, after which he disappeared into oblivion.

In that time the board made a profit of about $170,000, which was used up in one fell swoop on an increase in wages. When a union man is appointed to the board he must do his job and tell his principal what the actual situation is. That is what happened, and I do not detract from the work of Mr. Reg Atkinson (the union representative), who was a good union man; nor do I say that he should not have reported to his union. However, the union took about $250,000. I challenge the Minister to deny that already it has been agreed that there shall be an additional $5 a head a week in service pay, contingent on the new Bill's becoming law.

The Hon. C. M. Hill: The Minister doesn't seem to be replying.

The Hon. C. R. STORY: I do not want him to reply at this stage.

The Hon. D. H. L. Banfield: He's not allowed to interject.

The Hon. C. R. STORY: We have been held to ransom for many years over the killing charges at Gepps Cross. The Chairman of the board (Mr. Joseph) has been successful in raising the abattoirs to American standards. I compliment him on doing that, because it is important that we should have a metropolitan abattoirs which can not only reach our own standards but which is also good enough for the Americans.

The Hon. T. M. Casey: That's pretty good.

The Hon. C. R. STORY: It is, but I think we are as important as the Americans. Mr. Joseph may not have measured up in the eyes of some people, including the Leader of the Liberal Movement.

The Hon. D. H. L. Banfield: What's that?

The Hon. C. R. STORY: It is some kind of sect, I think. I believe that Mr. Joseph has done a good job as Chairman. I find it difficult to understand how the Minister will find five people in South Australia. What is five? Seven is the perfect number, but I cannot understand five. Three is also a perfect number. I should have thought it essential that we have a competent gentleman chairing the board who would become the Chairman of the whole of the abattoirs establishment and that he might have one skilled outrider on each side. Providing for five leads me to think that we may have to make two berths available to people who should not have a berth. When the Minister replies to the second reading debate, no doubt he will tell me where I am wrong, and that is what I want him to do.

The Hon. T. M. Casey: You said you would rather have seven.

The Hon. C. R. STORY: No. I would rather have three.

The Hon. T. M. Casey: You said that seven was a good number and that three was also a good number.

The Hon. C. R. STORY: Yes, but five is not, because it would mean that we would have taken representation away from the producers, the stockowners, the unions, or someone; but

the Minister does not spell this out in the Bill, which merely says who will not be represented. The Minister seems to be taking over the abattoirs as a Government authority, but not in the form in which it has existed. The abattoirs started off as being a matter for local government and the industry but, when the abattoirs got into difficulty, the Government came to the party. It seems to me that the abattoirs will now become a Government abattoirs. I have annotated the Act, but I cannot see that the Bill is doing anything other than setting up a meat authority for the whole State, and I can see that the money will come from the Treasury.

As this Government has a tremendous record of generosity to primary industry, I will be surprised if it does not lose millions of dollars because of its attitude. The Government will most certainly lose in the citrus industry because of the attitude it has adopted. The Government will lose money in the egg industry if it becomes involved in pulping eggs; otherwise, private enterprise would have entered the industry years ago. I can only conclude that the abattoirs will have its difficulties, too. I understand that private enterprise is happy to provide money to slaughter for export, provided that we have a decent set of rules regarding the relationship between the board, management and the unions. This is the great frailty in the Gepps Cross abattoir at the moment. The sum of money received in a week by employees there is more than that provided in the Commonwealth award. The award under which they work is obligatory on every killing works in South Australia, with a flow-through to Peterborough, Metro and Murray Bridge abattoirs. A man has only got to sneeze out there, and immediately someone will summon Commissioner Johns or Commissioner someone else, and they have a little tete-a-tete for several hours. That has been going on for the past four or five years.

There is no doubt in my mind that, if the Minister is to make a profit in his newly arranged set-up, which will be a Government abattoir rather than as it has existed in the past, he must get these people under the Commonwealth award so that they work on the same basis as people in Victoria, New South Wales, and other metropolitan and export abattoirs. Secondly, he must get the whole shooting box under a system whereby every pot must sit on its own bottom.

The whole matter regarding the abattoir as we know it at Gepps Cross comes down to this; some very good people have been on the board, but it is like having a Parliament consisting entirely of Independents—you have their support today, you change your policy slightly tomorrow, and then you no longer have sufficient support. That is what is happening with the new board. The Minister has suggested that the board should consist of five members. That is too many. It will not serve the people. The Minister has made certain provision within the Bill for additional finance from Treasury, and that is most unwise. I do not know what the red herring is, but I suspect there is one, in that there must be some idea in the mind of the Government that more abattoirs will be set up in various parts of the State and that the Government will finance them.

The Hon. T. M. Casey: No.

The Hon. C. R. STORY: I cannot see how otherwise they will get off the ground.

The Hon. T. M. Casey: Private enterprise set up the establishment at Peterborough without Government support. Private enterprise set up the establishment at Naracoorte. Abattoirs have been built in Victoria, New South Wales, and Queensland without Government support. Why cannot the same thing happen in South Australia?

The Hon. C. R. STORY: I wonder.

The Hon. T. M. Casey: I think we will just wait and see.

The Hon. C. R. STORY: I am a great believer in private enterprise. I am also a great believer in waiting and seeing. However, one thing disturbs me: the Minister says we will wait and see. I see nothing in the Bill before the Council, and having annotated the Act I see nothing there, about five young men without the slightest experience, if I may say so, in marketing meat, assuming the position of board members—

The Hon. T. M. Casey: Why should they be experienced in marketing meat?

The Hon. C. R. STORY: If the Minister would like me to name them, I will do so. However, perhaps it would be better if I did not. I could name all the personnel who will comprise the new board, and I challenge the Minister now—

The Hon. T. M. Casey: There is no need to challenge me.

The Hon. C. R. STORY: —if he would care to speak at the conclusion of my remarks and tell me who the board members will be. There is not one person among those new members who has ever chopped a bit of meat

and no-one who has had more than an academic association with the meat industry. On that note, I support the Bill to get it into the Committee stage.

The Hon. R. A. GEDDES secured the adjournment of the debate.

ADVANCES TO SETTLERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2029.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I shall be very brief in my remarks concerning this Bill, which was covered very effectively by the Hon. Arthur Whyte. The Bill does two things, one of which (I agree with the Hon. Mr. Whyte) one might complain about: it increases from $9,000 to $10,000 the amount that can be advanced to a settler for the purpose of improving, altering or erecting any dwelling-house. This keeps it in line with the increase from $9,000 to $10,000 in other legislation governing home building. I support the views of the Hon. Mr. Kemp and the Hon. Mr. Whyte on the proposal that the Government may alter the ceiling in future by proclamation. That is a proposal that every member would, I hope, oppose. I see no reason why the Government should not bring legislation to Parliament to alter the limit of the amount that may be advanced under this legislation. It would be rather strange if we had agreed to this in other legislation. I do not know if we have, or whether the point was raised in another measure dealing with housing legislation. In any case, in reply the Minister might advise us whether that is the case.

I would think a very strong case must be made out for the Government, by proclamation, to increase or decrease the amount available to a settler for the erection, improvement, or alteration of a dwellinghouse without legislation coming before Parliament. I am sorry that the amount in the other part of the Act was not lifted. That has stood at $6,000 for some period of time, having been increased to that sum, if I remember correctly, in 1970. This legislation does not provide for any increase in that amount of $6,000 to effect improvements such as fencing, drainage, watering, and improvements of that type. With those two comments, I support the increase from $9,000 to $10,000. I am opposed, subject to the reply of the Minister, to the change in the legislation allowing the Government, by proclamation, to alter the limit, either by increasing or decreasing it, and I am sorry that the part of the Act relating to water, dams, and so on, has not received a similar increase. I support the second reading.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Special provision for the making of advances for the erection of dwelling-houses."

The Hon. C. R. STORY: On behalf of the Hon. Mr. Kemp, I move:

To strike out paragraph (b).

The Hon. T. M. CASEY (Minister of Agriculture): The Government does not accept the amendment, because it has already stated emphatically that it does not intend to reduce the amount involved. The Government is merely trying to save time each year so that, if the amount of housing loan is increased, it will also apply to this legislation without an amending Bill having to be introduced each time. I give the Committee the undertaking that the Government does not intend to reduce the loan amount, and I intimate that I would be willing to accept the Hon. Mr. Whyte's amendment.

The Hon. R. C. DeGARIS: Will the Minister say whether the Government has the right under the Housing Improvement Act to vary this amount by proclamation? Although the Minister has stated that the Government does not intend to reduce the amount, perhaps we should provide that the amount in this legislation shall be the same as that in the Housing Improvement Act. In dealing with the legislation, honourable members cannot accept undertakings made by Ministers that they do not intend to do certain things because we are, of course, prescribing legislation that will apply to future Governments. I am concerned about the way the provision is drafted, as the amount can be reduced or increased by proclamation.

The Hon. T. M. Casey: Not by the Hon. Mr. Whyte's amendment.

The Hon. A. M. WHYTE: The Hon. Mr. Kemp's amendment is to strike out completely the provision enabling the Governor to vary the amount by proclamation, so that the Act would have to be amended each time it was desired to alter the loan amount. I should be happy if the Bill provided that the amount could be increased only, even though that necessitated many proclamations being issued.

The Hon. C. M. HILL: Of the two amendments, I think the Hon. Mr. Whyte's is preferable. I therefore intend to vote against the amendment now before the Committee. If the

Hon. Mr. Whyte moves his amendment, I will support it.

The Hon. G. J. GILFILLAN: Certainly, the Hon. Mr. Whyte's amendment overcomes the difficulty that exists at present in relation to current money values. It should be made clear that, if in future the amount of loan could be decreased or increased, it should not go below $10,000.

The Hon. T. M. CASEY: This is the problem that one runs into with the Hon. Mr. Whyte's amendment. Initially, the Government sought to have the figure in this legislation in line with that determined by the Treasurer through the State Bank in relation to housing loans and, if the amount of those loans increased, this amount would also increase. I do not think the amount of housing loans has ever decreased; for as long as I can remember it has always increased. It would be a sorry state of affairs if it were to decrease, as a severe depression would be necessary for that to occur. I am merely trying to achieve more flexibility so that, instead of having to introduce amending legislation each time the Government wishes to alter the amount of the loan, it can be done by proclamation.

The Hon. C. R. STORY: There is much merit in what both the Minister and the Hon. Mr. Whyte have said. I seek leave to withdraw the amendment I have moved on behalf of the Hon. Mr. Kemp, and I ask the Minister to report progress so that we can sort out the situation and perhaps introduce another amendment.

The Hon. R. C. DeGARIS: I agree with the Hon. Mr. Story. I think the Minister would be only too pleased to co-operate in this matter. I ask the Minister also to consider accepting an amendment for variation by proclamation in line with changes in the housing loan. That would satisfy the whole situation. If we reported progress to discuss it with our advisers, we could come to some satisfactory arrangement.

Progress reported; Committee to sit again.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2030.)

The Hon. V. G. SPRINGETT (Southern): The principal Act to which this Bill refers goes back to 1941, to a time when arrangements were being made for men who would in due course be returning home from the Second World War, and also to help the State's industries. In this Commonwealth of six States, each State is part of the whole Commonwealth, but each State must look to its own resources and how best to develop them. There is nothing wrong with that. It is a world-wide trend in towns, cities, countries and States that people vie with each other to attract industry to ensure their future growth and prosperity in competition with each other.

We have been told that in due course there is to be a new town near Murray Bridge. That will surely need to attract much industry if it is to grow, expand and prosper, as the visionaries say it must and as the idealists hope it will. The new town near Murray Bridge will come in conflict and competition with other areas of the State, which in their turn will want to develop and grow as best they can. The definition of "industry" in this Bill allows wide scope for action. The definition of "business" is:

> ... in relation to an industry, includes the carrying on of any activity referred to in the definition of "industry" whether or not that activity is carried on for, or in the expectation of, profit or reward.

Altruistically, effort and occupation and profits and gains are all being defined as "business". The definition of "industry" is most intriguing. It is:

> "industry" includes any sporting, cultural or social activity whether or not that activity is carried on for, or in expectation of, profit or reward.

I have raised my eyebrows, as many people must have, on hearing local football clubs and associations, and basketball and tennis clubs being called an "industry". One of the things usually claimed is that sport is indulged in for pleasure and for its own sake. Most of us would agree that in recent years increasing emphasis has been laid upon the "industry of sport", where players are bought and sold like so many cattle and where money is spent to ensure the attraction of a particular player performing in a particular place. So perhaps the term "business" and the term "industry" have some relationship to modern sporting events.

Perhaps it is true that sport not only is big business but also provides for the needs of people. As such, it is worthy of support by the Government. After all, libraries, art galleries, and other forms of cultural interest enjoy Government support. Therefore, one cannot say that organizations like football and cricket clubs should not be entitled to the same sort of support as the cultural activities.

I have mentioned receive. It is not unreasonable to provide guarantees for funds for sporting and athletic activities. The Chief Secretary said last week that the Government would not provide the money but would stand as guarantor.

The Hon. A. J. Shard: You will get that in the reply to this debate.

The Hon. V. G. SPRINGETT: I am glad of that, because in sport one should not have everything provided for one: the clubs should raise their own money where possible. As other cultural efforts are supported by the Government, I see no reason to do other than support this Bill, which I do.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2025.)

The Hon. F. J. POTTER (Central No. 2): This Bill is really a re-writing of a large section of the existing South Australian Industrial Code. It deals with those sections of the Code that concern themselves with the Industrial Court and the Industrial Commission in South Australia and the rights of people to approach the commission for awards and other orders. Generally, it attempts to regulate completely industrial arbitration in South Australia. We are told that later we shall get a Bill dealing with the industrial safety measures already in the Code.

Because it is a re-writing of the Code, it is largely a Committee Bill. It is inevitable that in an exercise like this, where we have a Committee Bill, various matters arise that are best dealt with in Committee rather than in many second reading speeches, but the Bill incorporates some new concepts and blazes some new trails in Australia. At the same time, the bringing into existence of these new concepts eliminates some of the old ones that have been tried for many years. When we consider a Bill of this nature, it is opportune perhaps to look generally at the state of industrial relations in the country, and in particular in this State.

I do not think it would be unfair to say that today there is largely a spirit of unrest in this country from the industrial viewpoint and from other viewpoints of our social life. There is a good deal of conflict and, in some respects, a good deal of contempt for law and order. Of course, we see a manifestation of this not only in industrial relations but also in student demonstrations and in the high-jacking of aircraft. This kind of contempt unfortunately breeds imitation: one high-jacking of an aircraft inspires someone to high-jack another one. Further, one strike encourages another union to try the same sort of tactic.

We have now reached the unfortunate situation where some unions in this State do not hesitate to use the strike weapon to obtain from employers rates and conditions that are out of line with those of others in the community and are different from what they would have obtained if they had followed the law-and-order process and approached the Industrial Commission. So, we have the almost ludicrous position that today a builder's labourer is paid more wages than a skilled metal trades employee is paid, yet the latter employee is a man with experience and training. This situation has come about as a result of militant action that has led to some employees being able to extract from employers, more or less by blackmail or by threats, higher rates of pay than have other sections of the community. This is a very unfortunate situation, because we have now reached the stage where even some moderate unions that have always been content to accept arbitration are inclined to say, "Look at what other unions have got by militant action! Why shouldn't we try that? We have gone along in the law-and-order way, but we have not had the success that the militant unions have had." When that mentality creeps in, we must ask ourselves what is wrong with industrial relations and what can be done to improve them.

It is fair to say that there are three important sections with responsibilities in any system of satisfactory industrial relations—the employers, the trade unions (which represent by far the greatest percentage of employees), and the Government of the day, which always has some responsibility for seeing that satisfactory industrial relations exist, and which ought always to play a leading role in settling industrial disputes. In recent years the Commonwealth Government has actively appeared before Commonwealth industrial tribunals and, in an unbiased manner, has put facts relating to the economy before the tribunals. However, the South Australian Government is conspicuous by its absence in connection with putting facts before State industrial tribunals.

A lot could be said for a policy of presenting before the State Industrial Commission unbiased facts and circumstances affecting the

economy of South Australia, the general welfare of the community, and the ability of employers in this State to meet the demands made on them. I should like to see the present Government and all future Governments taking a more active part in proceedings before the Industrial Commission. The commission has been set up in this State for a considerable time. It was established pursuant to the Industrial Code and, in some respects, there is a move to upgrade its status.

Our industrial patterns have largely been taken from the patterns established in New South Wales. The New South Wales Industrial Court enjoys a very high reputation throughout Australia not only for the progress it makes in settling industrial disputes but also for the general standard of its decisions. Speaking from my own personal knowledge as a result of discussing the industrial situation with employers and employees, I must say regretfully that I do not believe that the South Australian Industrial Commission enjoys a very high reputation in the industrial sphere; it is difficult to know exactly why that is so. Of course, it is unfortunate that the South Australian Industrial Commission covers within its jurisdiction a lower percentage of workers than does any other State industrial tribunal in Australia. In fact, only 37 per cent of the workers in the State come under the jurisdiction of the court; that is a low figure.

The Hon. D. H. L. Banfield: What about in other States?

The Hon. F. J. POTTER: I do not have the percentages, but I know that it is over 60 per cent in Western Australia and that it is a high percentage in New South Wales. Therefore, it is strange that we have this low percentage in South Australia. Whether that is one of the factors that generally militates against the status of the commission, I am not sure. It has a very unfortunate result, because it means that, when there is jurisdiction over only 37 per cent of the employees, whereas between 50 per cent and 60 per cent of the work force is covered by Commonwealth awards (as in South Australia), the State commission tends automatically to hand on the same rates of pay that are awarded by Commonwealth tribunals to the people covered by Commonwealth awards. So, there is not really the effort made in South Australia to examine the situation as deeply as it might be examined and to exercise some independence of thought and approach to industrial disputes. I hope I am not being too critical, because I understand the difficulty anyone would have in being faced with awards made in the Commonwealth jurisdiction when most of this State's workers are covered by those Commonwealth awards.

The trouble is that, when awards are made in Commonwealth jurisdictions, any representations which might be made to Commonwealth tribunals by employer representatives from the little State of South Australia do not get much of a hearing. Naturally, when it comes to rates of pay, it is unlikely that one would find any employers in the Eastern States, which are our great competitors, who would want to see lower rates of pay awarded in South Australia than would be awarded in the rest of the Commonwealth. Consequently, the problem here is that our voice is a thin one indeed in the Commonwealth tribunals, and we still have the problem of which we have long been aware in this State: we can exist in South Australia industrially only if we can compete in some way with the industries in the other States.

In addition, we have certain costs of marketing in connection with the goods produced here. We have problems in South Australia which are very acute ones and which, as I see it, the Bill does nothing to relieve. Indeed, some of the ideas and philosophies incorporated in the Bill will only exacerbate the situation in South Australia because, as I shall refer to later, we are embarking in this Bill on some trail-blazing and costly legislation that has never been seen or heard of in other States of the Commonwealth.

Reverting to what I was saying earlier about the great need to inculcate in this State, both from the employers' and employees' side, the need for a better spirit of confidence in the State Industrial Commission, I emphasize that we must have confidence in the commission, because my feeling is that confidence is now at a low ebb. I think that both sides of industry realize that the conciliators appointed to deal with disputes should be skilled and trained (if necessary) in counselling techniques, and must be the best possible people we have to handle the matter.

Unfortunately, I think that the system of appointment, which I criticized when we were dealing with an amendment to the Industrial Code, whereby the commissioners had to be appointed in twos (I think the Hon. Mr. Hart remarked on one occasion "as if they were going into Noah's Ark"), is ridiculous and wrong. This is one of the factors the Government could study at an early date to see

whether something could be done to change the situation. I note with interest that the Commonwealth Government has moved away from any idea of selecting commissioners from either the trade unions or the employers.

I notice there is now a genuine attempt in the Commonwealth sphere to appoint the best people available for the job and that applications are being called from time to time for people who wish to apply for the position of conciliation commissioner. I think this is the right idea. It is a challenge to the Government of any political persuasion to go about the matter in the right way, because we need to see that we appoint the best people we can to act as commissioners.

I was present at a conference over the weekend and, in the course of discussions on one matter, it was interesting to hear a proposition (and I think it was referred to in the press) that a part could be played by some independent mediators outside the jurisdiction of the Industrial Commission, and that there was some hope that persons representative of both sides of industry might be able to use their mediating influences and talents to try to prevent or settle industrial disputes as and when they arose and before they were referred to a commissioner.

This proposition has much to commend it, although I appreciate the difficulties in setting up such a scheme. I believe there are people in the community who have had experience on the employer and employee side of industry, who are well respected, and who could assist in the settlement and mediation of a dispute at an early stage. If they were prepared to assist in this way, these people need not be given any special powers. The only power they need is the power to call the parties together in conference.

The Hon. D. H. L. Banfield: It is a voluntary conference they have now, isn't it?

The Hon. F. J. POTTER: They can. I am simply saying that, if it is not possible to have a voluntary conference, the only power I would give these mediators is the power to call a compulsory conference, and no other powers whatsoever. Whether or not this could be done would depend on their own status and influence. I understand this technique has been used fairly successfully in Japan, where a kind of flying squad has been set up. Industrial disputes are quickly settled on the spot, often within a few hours. I imagine that system would not work in Australia, because we have not the intensity of production and the need for settling disputes within a couple of hours. Nevertheless, the idea of having an impartial person to whom the parties can go is not a bad one, and I hope the Government will consider this soon. It is perhaps a little radical to introduce at this stage, and indeed it could probably be introduced without legislative authority, and simply set up under some form of agreement or administrative arrangement.

A good case can be made for the need for better education in the field of industrial relations, both for employers and employees. Some talk has started recently, I understand, about running courses for people engaged in problems of industrial relations. A thoroughly suitable course would not be easy to devise, but if such a course could be organized under the Department of Adult Education or the new Department of Further Education it could prove most useful. I would not like to see it confined to one side or the other. There is a great need for such a course to be made available to and used by people from both sides of industry. It is not much good talking to trade union members and trying to give them a course, because if we do not watch out they will be given a course on how to put it over the employer, or how to indulge in guerilla tactics in a better and bigger way; the same applies, of course, to the other side.

In my view, it is essential, if we are to get anything out of education in this sphere, to try to bring both parties together in some sort of common education school where they can share experiences and take part in group discussions. This would do much to improve industrial relations. Something could be done in the field of assistance by the State Government, probably through the Industrial Development Branch or the Department of Labour and Industry, whereby some help could be given to employers to solve industrial problems. Unfortunately, in South Australia we have a large number of small businesses, not big enough to employ their own industrial officers and skilled personnel, but relying usually on officers from their employer organizations, some of whom are so busy that they can give belated help or advice to people in small industries.

There is something to be said for the Government's stepping in to fill this vacuum and providing some help in this matter. The right sort of attitude would be essential, and it would be essential, too, that any assistance the Government could give would be the assistance of advice and there should be no involvement

before the courts or the commission in legal proceedings.

The Hon. D. H. L. Banfield: But industrial inspectors do quite a bit of that now.

The Hon. F. J. POTTER: I do not think they do it in quite the same way as I should like to see it done. They do make some contribution, but I should like to see someone with a wider knowledge than has the ordinary industrial inspector. That is all I want to say in a general way. We sometimes say that the industrial situation in South Australia is a little better than has existed in other States, but I do not think we can rely on this always being so. In the past it has been correct, but we have our share of problems and of militant unions wishing to take people out on strike and hold employers to ransom in one way or another. At the moment, two or three disputes have been settled only on the surface, and by no means have reached any final conclusion. We can merely hope that eventually they will be satisfactorily determined, because they are likely to erupt at any time.

I turn now to the Bill, to draw attention to a few of its important provisions. It boils down to considering some of the important new matters arising in this measure. We cannot say that the Industrial Code as it exists at the moment has caused much trouble. Its provisions have been well and truly tried over the years and found to work very successfully. However, in some instances here we are moving away from the existing legislation and trying new ideas. I am not sure that they are good ones, and I am not sure that they do not greatly impinge on the liberty and freedom of the individual. One of the great beliefs of the Party to which I belong is the belief in the maximum possible freedom of the individual.

The Hon. D. H. L. Banfield: Is that the Liberal Movement side?

The Hon. F. J. POTTER: That is not solely the Liberal Movement side. It has been in the principles and the platform of the Liberal and Country League for donkeys years.

The Hon. A. J. Shard: Then you are not giving effect to it very well at the moment.

The Hon. F. J. POTTER: I do not want to get on to another subject but I make no apologies for the fact that the L.C.L. for many years has striven for the maximum possible freedom for the individual in this State. Incidentally, that has included the maximum possible freedom for members of Parliament as well. This measure seems greatly to curtail the freedoms of certain people in the community and, when one looks at the definition of "employee", one sees that we are going to reach out and cover people who are independent contractors, virtually working for themselves, and others who are trying perhaps to start out and set up a business for themselves.

I see no reason why contracting in all its various forms should not be allowed. It is right for the individual to start up his own business in any way he wishes and, if he does not want to work for award rates, I do not see why we should tell him to do so. That is what this rather broad definition of "employee" will do. I know that some arguments are advanced regarding why this is necessary. However, this is a matter of philosophy that we will have to examine carefully in Committee. Similarly, a wide definition of "industry" is being written into the legislation that will catch up with everyone, even those who are giving their time and working for charitable and religious organizations. They will now be compelled to work for award rates of pay.

This is another infringement of the freedom of the individual. Many people in the community, particularly women, are willing for their personal satisfaction to give their services for charitable or religious organizations, and they are not particularly concerned about what they will get out of it. It seems wrong for us to compel award rates to be paid to any person who wants to work for a charitable organization.

The Hon. A. J. Shard: Are you sure? There is an exemption clause.

The Hon. F. J. POTTER: There is no exemption for these people. There are exemptions for people who are being trained by charitable or religious organizations, but not for the people employed by them. There is no exemption in the definition of "industry", which covers any undertaking, trade, business, occupation or calling in which persons are employed or engaged for remuneration or reward. There is also no exemption for non-profit or charitable organizations. If there is, I should be interested to hear about it. We raise here another problem, apart from whether it is right or wrong for people freely to give of their services in the way they are willing to do. If those charitable and religious organizations are compelled to pay award rates of pay, I do not see how many of them can possibly carry on. If they cannot carry on financially, honourable members know who will have to pay. If those kinds of organization find that they cannot continue because

of the financial burden placed on them, they will say to the Government, "We do not want a subsidy of $1,000 or $5,000. We want $50,000 from you." This is a serious matter that we should examine carefully later.

The Hon. R. A. Geddes: Does this mean that a minister of religion who is paid a stipend that may not be as much as the award rate will in future have to be paid the award rate?

The Hon. F. J. POTTER: No, because he does not come within the definition of "industry" and there is no award rate for ministers.

The ACTING PRESIDENT (Hon. C. R. Story): I think the chatty bits should be left to the Committee stage.

The Hon. F. J. POTTER: I do not think that a minister of religion could be said to be in a contract of employment. This matter needs to be examined because it could in some circumstances raise difficulties of interpretation. I said earlier that the Bill attempted to upgrade the status of the court. Indeed, in clauses 9 and 11 a marked step has been taken to do this. By upgrading the status of one member of the court I wish we could upgrade the general feeling of confidence in the industrial community of which I spoke earlier. To some extent, the Government seems again really to have erred on the more than generous side. The President of the court is now to be given the same status and salary as a Supreme Court judge; in other words, his salary will increase from $22,000 to $25,750. For a long time the Industrial Court in this State was regarded as a first-class training ground for elevation to the Commonwealth jurisdiction. Indeed, some eminent judges who have spent some years in our Industrial Court have been elevated to the Commonwealth court.

The Hon. A. J. Shard: When you go home tonight, have a look at clause 91 and tell me what it means.

The Hon. F. J. POTTER: I know what clause 91 means. I am merely saying that for a long time people have been promoted from the State court to the Commonwealth court, the latest of whom was His Honor Mr. Justice Williams. Before that were His Honor Mr. Justice Morgan and His Honor Mr. Justice Kelly. However, now the President of the Industrial Court is to be paid a salary higher that that being paid in the Commonwealth jurisdiction or to the President of the Commonwealth Conciliation and Arbitration Commission, which is amazing.

The Hon. D. H. L. Banfield: Prior to the 10 per cent cut they were on the same level.

The Hon. F. J. POTTER: I am not talking about that. I should like very much to know exactly what is the philosophy behind this matter. I now turn to one or two other important matters, some of which are new. It is proposed under clause 25 of the Bill to give the commission the right to question any dismissal from employment of an employee. This provision has been in the existing Code for some time; it has been the prerogative of the legal members of the court. I see no reason why that situation should not be continued, and I question why we should give this jurisdiction to the commissioners of the court and change the existing wording so that an examination may be made, by appeal or review, of any dismissal considered to be "harsh, unjust or unreasonable". The existing Code provides that we can have a review if the dismissal is "harsh, unjust and unreasonable". So, with one tiny alteration of "and" to "or", we get the situation in which we will allow any conciliation commissioner to step in and ask an employer to justify the dismissal of an employee from his service on the ground of its being reasonable. It is quite wrong to regard this as a matter on which we should allow the intervention of commissioners. The question whether or not there is a legal right to dismiss a person is a matter of some legal consequence; it is a matter of the right of the individual in the community to exercise his legal powers, if necessary.

If there is to be an examination, it should be limited to the terms of the existing Code and should never be taken away from the judicial side of the tribunal. We have also in the same clause a new concept altogether, whereby the court can determine that a certain matter is an industrial dispute within the meaning of the Bill. I suppose this arises entirely or largely from the recent Kangaroo Island dispute. This concept (and there are one or two other similar concepts in the Bill that I will come to later) of allowing the court to declare something to be an industrial dispute when it is not really within the definition of "industrial dispute" is quite incongruous and wrong. Later in the measure there is another circumstance where the court is allowed to say, "Notwithstanding that we do not have jurisdiction and never had jurisdiction in a certain matter, we will give ourselves jurisdiction." With that kind of wording we do not know where we are and we shall

quickly get away from proper concepts. Consequently, I shall have a hard look at clause 25 in Committee.

I turn now to one or two other major matters that have been tackled in this Bill. There is a big change in the matter of equal pay for males and females in certain circumstances. The section in the Code was taken from the New South Wales legislation, and it followed Australian standards. In clause 78 we are now to depart completely from the Australian standards and are to allow the commission, again on a different basis altogether, to make decrees on this important matter. Clause 80 contains a completely new idea about sick leave entitlement, in that a person is to be given two weeks sick leave with pay every year, accumulating indefinitely, apparently for the whole of his working life. Again, that seems to me to be a novel concept not found anywhere else.

The Hon. D. H. L. Banfield: What's wrong with accumulated sick leave?

The Hon. F. J. POTTER: Nothing; I am not complaining about that. However, some restrictions must be placed on this kind of thing. Looking at other awards, even in the very latest one concerned with the metal trades, recently issued, at least it is limited there, I think, to 64 hours a year.

The Hon. A. J. Shard: It was not 64 working days, was it?

The Hon. F. J. POTTER: I think it is 320 working hours maximum accumulation. Following that clause, there are one or two other clauses dealing with annual leave which I think need to be looked at in some detail. Then there is a new provision relating to payments in connection with putting off men as a result of introducing automation. Those provisions are not completely new (they are for South Australia but they are not unique) because I know the clause was taken from the New South Wales legislation. So perhaps we shall need to look at the philosophy behind that clause.

There are many other clauses I shall need to look at during the Committee stage. The only other important clause to which I refer is clause 145. Again, this is a remarkable change, an interference with the rights of the individual in the community, the removal of his right to go, in the case of an industrial dispute, to the Supreme Court to seek a remedy for a tort. Clause 145 denies the individual the right to go to the Supreme Court in any action constituting a tort if there is an industrial dispute.

The Hon. D. H. L. Banfield: This is not unique, though, is it?

The Hon. F. J. POTTER: It is unique for this State. I understand there is a similar provision in Queensland.

The Hon. D. H. L. Banfield: What about Great Britain?

The Hon. F. J. POTTER: I do not know about Great Britain but I know that something similar to this exists in Queensland, but not elsewhere in Australia. I question whether or not we should take away the individual civil right of people in our community to go to their supreme tribunal in this State, the Supreme Court.

The Hon. D. H. L. Banfield: You want it double-barrelled.

The Hon. F. J. POTTER: We should look carefully at that matter. I know that the express motive for introducing this provision is to protect the unions but at this stage I wonder whether we are wise.

The Hon. D. H. L. Banfield: It is the individual acting on behalf of the unions; it is not the unions at all.

The Hon. F. J. POTTER: The clause provides:

> Where an act or omission was done or omitted to be done in contemplation or furtherance of an industrial dispute by or on behalf of (a) an association; (b) an officer of an association, in his capacity as such; or (c) a member of an association . . .

The Hon. D. H. L. Banfield: But action is taken against the individual, is it not?

The Hon. F. J. POTTER: Yes. An action in tort is normally taken against an individual, because an association has not a hide to kick or a soul to damn, but an individual has. It is usually the individual who is involved in a dispute of this nature. In these days when there is a spirit of unrest and some degree of industrial lawlessness we should consider the clause very carefully before we make up our minds about it. I have not quite made up my mind; there are one or two alternatives that can be considered when the Bill reaches the Committee stage. I have dealt broadly with the principal matters that all honourable members should carefully consider before they come to a final decision.

I shall suggest other amendments in due course; some are only drafting amendments, and I trust that they will be accepted. Many of the clauses are non-controversial, and a great deal of the Bill has been lifted from the existing Act. However, honourable members will have to consider very carefully the new philosophies that are introduced and the efforts

that are made to create new concepts, every one of which will add to the costs of industry in this State. The problem of industrial costs is one of our greatest problems, and we must remember that it will not be very long before another Bill is introduced that will add another straw to the camel's back; I am referring to the Bill that will provide for changes to the qualifications for long service leave. Finally, we must bear in mind the need to preserve the freedom of the individual and his civil rights. I support the second reading.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

ENVIRONMENTAL PROTECTION COUNCIL BILL

Adjourned debate on second reading.

(Continued from September 28. Page 1676.)

The Hon. M. B. DAWKINS (Midland): This Bill has been on the Notice Paper for some time, but the debate has been postponed while honourable members have awaited the report of the Jordan committee. Because the Bill has been dealt with very well by some other honourable members, I do not intend to repeat what they have said. The Jordan committee was set up by the previous Government in 1969, and I believe that everyone has been awaiting its report with considerable interest. I am informed that the report is voluminous and that there are two or three copies of it available, to which honourable members will turn their attention at the earliest opportunity. I have no great objection to the Bill. The words "environment" and "pollution" are "in" words today: we are very concerned about pollution and we are keen to preserve the right kind of environment. The Hon. Mr. Russack, after dealing in detail with the Environmental Protection Council, concluded that the council would have great authority and power. I agree with the honourable member's statement that the council will need members with a strong sense of responsibility.

Clause 4 (3) is the type of provision with which we tend to become familiar during the regime of Socialist Governments; it may be regarded as a normal provision in some cases. It makes the work of the council subject to the general control and direction of the Minister. Whilst I admit that some general oversight by the Minister is necessary from time to time, I always question whether overall control and direction could lead to too much control by the Minister of the day. The Chairman of the Environmental Protection Council will be the Director of Environment and Conservation, Dr. W. G. Inglis. Also on the council will be the Director and Engineer-in-Chief of the Engineering and Water Supply Department, the Director of the Department of the Premier and of Development, and the Director-General of Public Health. Clause 4 (5) (e) provides that the council shall have—

four other members appointed by the Governor of whom—

(i) one shall be a person with knowledge of and experience in industry;
(ii) one shall be a person with knowledge of biological conservation; and
(iii) two shall be persons qualified in a field of knowledge of matters relating to the environment.

So, the council will have a balanced membership. The Jordan committee's report is now available, and honourable members will no doubt wish to peruse it before the Bill is further proceeded with. In common with other honourable members, I hope to make myself familiar with that report. I therefore seek leave to conclude my remarks.

Leave granted; debate adjourned.

METHODIST CHURCH (S.A.) PROPERTY TRUST BILL

Received from the House of Assembly and read a first time.

ADJOURNMENT

At 4.42 p.m. the Council adjourned until Wednesday, October 18, at 2.15 p.m.